

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**OBJECTION TO CONFIRMATION OF PLAN (DOCKET NUMBER 15)**

Now comes U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank, National Association as Trustee for EMC Mortgage Loan Trust 2004-B, Mortgage Pass-Through Certificates, Series 2004-B ("Creditor"), by and through its mortgage servicing agent JPMorgan Chase Bank, NA, by and through its attorneys, Manley Deas Kochalski LLC, and objects to confirmation of the Chapter 13 plan of Gary Kiltau ("Debtor"). For the reasons which follow, confirmation should be denied.

## **MEMORANDUM IN SUPPORT OF OBJECTION**

Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 12839 Hoover Avenue, Uniontown, OH 44685. The Debtor's Chapter 13 Plan proposes to treat Creditor's claim unfairly by providing for an inadequate post-petition payment amount. The amount listed in the Chapter 13 Plan is \$79.17. The first post-petition payment is due November 1, 2015 in the amount of \$900.23.

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WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Adam B. Hall

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Attorneys for Creditor  
The case attorney for this file is Adam B.  
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**CERTIFICATE OF SERVICE**

This is to certify that on December 7, 2015, a true and accurate copy of the foregoing Objection to Confirmation was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Office of U.S. Trustee, Northern District of Ohio, Party of Interest, (Registered address)@usdoj.gov

Toby L Rosen, Chapter 13 Trustee, lweir@chapter13canton.com

Warner Mendenhall, Attorney for Gary Kiltau, warnermendenhall@gmail.com

and on the below listed parties by regular U.S. mail, postage prepaid:

Gary Kiltau, 12839 Hoover Ave NW, Uniontown, OH 44304

Gary Kiltau, 12839 Hoover Avenue, Uniontown, OH 44685

/s/ Adam B. Hall

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